

ORDINANCE NO. _____

BARRETT'S FERRY AGRICULTURAL AND FORESTAL DISTRICT (AFD-1-98)

2002 RENEWAL

WHEREAS, the owner of the property comprising the existing 210.49-acre Barrett's Ferry Agricultural and Forestal District has requested to renew the District for a period of four years; and

WHEREAS, James City County has completed a review of the Barrett's Ferry Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4314 of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Barrett's Ferry Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its February 21, 2002, meeting recommended approval of the application; and

WHEREAS, the Planning Commission, following its public hearing on March 4, 2002, recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia:

1. The Barrett's Ferry Agricultural and Forestal District is hereby continued for a period of four years beginning the 28th day of April 2002, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. That the District shall include the following parcels:

(43-2)(1-3) Baxter Bell 210.49 acres

provided, however, that all land within 50 feet of the existing right-of-way on the south side of Route 5, John Tyler Highway, shall be excluded from the District, and that all land within 25 feet of the existing right-of-way on the north side of Route 5, John Tyler Highway, be excluded from the District.

3. That pursuant to the Virginia Code, Section 15.2-4312, as amended, the Board of Supervisors requires that no parcel in the Barrett's Ferry Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically the following restrictions shall apply.

- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment, provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and, b) the subdivision does not result in a remnant parcel of less than 25 acres.
- b. No land within the Barrett's Ferry Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District.
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code Section 15.2-4301 et. seq. which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of April,
2002.

afd1-98.ord